

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMARTH AGRAWAL,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

15-CV-7176 (JSR)(AJP)

10-CR-417 (JSR)

CIVIL JUDGMENT

ANDREW J. PECK, United States Magistrate Judge:

Pursuant to the order issued September 22, 2015, dismissing the motion,

IT IS ORDERED, ADJUDGED AND DECREED that the motion is denied without prejudice to the pending action under docket number 15-CV-1724 (JSR)(HBP). Because the motion makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Plaintiff and note service on the docket.

The Clerk of Court is to close this civil case.

SO ORDERED.

Dated: September 22, 2015
New York, New York



ANDREW J. PECK
United States Magistrate Judge

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON _____.